

Filed by: Interference Trial Section
Merits Panel
Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

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January 21, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

FAXED

JAN 21 2005

FLORIDA STATE UNIVERSITY
(Robert A. Holton, Zhuming Zhang and Paul A. Clarke)
Junior Party
(Application 09/063,477),

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

v.

PHARMACHEMIE B.V.
(Eric Wilhelmus Petrus Damen, Johan Wilhelm Scheeren and Dick de Vos)
Senior Party
(Patent 5,874,595).

Patent Interference No. 105,220 (RES)

FINAL JUDGMENT - Bd. R. 127(b)(3)

Pharmacie B.V. has filed a concession of priority and requested entry of adverse judgment. Paper 36. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 4), is awarded against the senior party, PHARMACHEMIE B.V.;

FURTHER ORDERED that senior party, PHARMACHEMIE B.V., is not entitled to a patent containing claims 1-18 (corresponding to Count 1) of U.S. Patent 5,874,595;

FURTHER ORDERED that a copy of this judgment be made of record in the file of U.S. Patent 5,874,595 and 09/063,477;

FURTHER ORDERED that if there is any settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 41.205.

Ronald E. Schaefer
RICHARD E. SCHAFER)
Administrative Patent Judge)

Richard Torczon
RICHARD TORCZON) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
) INTERFERENCES

James T. Moore
JAMES T. MOORE)
Administrative Patent Judge)

cc (facsimile):

Attorney for FLORIDA STATE UNIVERSITY:

Robert M. Evans, Jr.
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, MO 63102
Tel: 314-231-5400
Fax: 314-231-4342

Attorney for PHARMACHEMIE B.V.

Roger L. Browdy
BROWDY AND NEIMARK, P.L.L.C.
624 Ninth Street, N.W.
Suite 300
Washington, DC 20001-5303
Tel: 202-628-5197
Fax: 202-737-3528

INTERFERENCE DIGEST

Interference No. 105,220

Paper No. 21

Name: Robert A. Holton

Serial No.: 09/063,477

Patent No.

Title: Process fro selective derivatization of taxanes

Filed: 04/20/98

Interference with Damen et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, favorably Dated, 1-27-05

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.